# Quarters colley 1AC

## First framing

#### Recognition necessitates an understanding of social standpoints of the oppressed and fluidity of identity

Butler 09 Frames of War: When Is Life Grievable? JUDITH BUTLER 2009 Pg. 8

How then is recognizability to be understood? In the first instance, it is not a quality or potential of individual humans. This may seem absurd asserted in this way, but it is important to question the idea of personhood as individualism. If we claim that recognizability is a universal potential and that it belongs to all persons as persons, then, in a way, the problem before us is already solved. We have decided that some particular notion of "personhood" will determine the scope and meaning of recognizability. Thus, we install a normative ideal as a preexisting condition of our analysis; we have, in effect, already "recognized" everything we need to know about recognition. There is no challenge that recognition poses to the form of the human that has traditionally served as the norm of recognizability, since personhood is that very norm. The point, however, will be to ask how such norms operate to produce certain subjects as "recognizable" persons and to make others decidedly more difficult to recognize. The problem is not merely how to include more people within existing norms, but to consider how existing norms allocate recognition differentially. What new norms are possible, and how are they wrought? What might be done to produce a more egalitarian set ofconditions for recognizability? What might be done, in other words, to shift the very terms of recognizability in order to produce more radically democratic results?

#### Language facilitates recognition as an instrument for compelling agency by allowing us to address one another and recognize existence. This allows for language to socially determine our existence and submits us to linguistic ontology.

Butler 97 “Excitable Speech: A Politics of Performativity” by Judith Butler 1997 p. 5

Language sustains the body not by bringing it into being or feeding it in a literal way; rather, it is by being interpellated within the terms of language that a certain social existence of the body first becomes possible. To understand this, one must imagine an impossible scene, that of a body that has not yet been given social definition, a body that is, strictly speaking, not accessible to us, that nevertheless becomes accessible on the occasion of an address, a call, an interpellation that does not "discover" this body, but constitutes it fundamentally. We may think that to be addressed one must first be recognized, but here the· Althusserian reversal of Hegel seems appropriate: the address constitutes a being within the possible circuit of recognition and, accordingly, outside of it, in abjection. We may think that the situation is more ordinary: certain already constituted bodily subjects happen to be called this or that. But why do the names that the subject is called appear to instill the fear of death and the question of whether or not one will survive? Why should a merely linguistic address produce such a response of fear? Is it not, in part, because the contemporary address recalls and reenacts the formative ones that gave and give existence? Thus, to be addressed is not merely to be recognized for what one already is, but to have the very term conferred by which the recognition of existence becomes possible. One comes to "exist" by virtue of this fundamental dependency on the address of the Other. One "exists" not only by virtue of being recognized, but, in a prior sense, by being recognizable.5 The terms that facilitate recognition are themselves conventional, the effects and instruments of a social ritual that decide, often through exclusion and violence, the linguistic conditions of survivable subjects.

#### Ontology comes first because underpins all other impacts and is the basis for all politics

Dillon 99 (Michael, Professor of Politics at the University of Lancaster, Moral Spaces, p. 97-98)

As Heidegger – himself an especially revealing figure of the deep and mutual implication of the philosophical and the political – never tired of pointing out, the relevance of ontology to all other kinds of thinking is fundamental and inescapable. For one cannot say anything about anything that is, without always already having made assumptions about the is as such. Any mode of thought, in short, always already carries an ontology sequestered within it. What this ontological turn does to other – regional – modes of thought is to challenge the ontology within which they operate. The implications of that review reverberate throughout the entire mode of thought, demanding a reappraisal as fundamental as the reappraisal ontology has demanded of philosophy. With ontology at issue, the entire foundations or underpinnings of any mode of thought are rendered problematic. This applies as much to any modern discipline of thought as it does to the question of modernity as such, with the exception, it seems, of science, which, having long ago given up the ontological questioning of when it called itself natural philosophy, appears now, in its industrialized and corporatized form, to be invulnerable to ontological perturbation. With its foundations at issue, the very authority of a mode of thought and the ways in which it characterizes the critical issues of freedom and judgment (of which kind of universe human beings inhabit, how they inhabit it, and what counts as reliable knowledge for them in it) is also put in question, The very ways in which Nietzsche, Heidegger, and other continental philosophers challenged Western ontology, simultaneously, therefore reposed the fundamental and inescapable difficulty, or aporia, for human being of decision and judgment.

**Additionally, in the context of the resolution ontology must come first because**

1. **Ontology shapes speech therefore to understand our ontology is to understand the assumptions made by speech in the first place**
2. **This means that the aff controls the root cause of all speech abuses that happen because speech is based on our ontology or being, if I subscribe the best forms of education that protect ontology, that’s enough to vote aff on presumption**

#### The 1AC acknowledges the state is bad in many ways. However, the aff uses state as heuristic which doesn’t affirm its legitimacy but allows enhanced governmental resistance.

Zanotti ’14 Dr. Laura Zanotti is an Associate Professor of Political Science at Virginia Tech.  Her research and teaching include critical political theory as well as international organizations, UN peacekeeping, democratization and the role of NGOs in post-conflict governance.“ Governmentality, Ontology, Methodology: Re-thinking Political Agency in the Global World” – Alternatives: Global, Local, Political – vol 38(4):p. 288-304,. A little unclear if this is late 2013 or early 2014 – The Stated “Version of Record” is Feb 20, 2014, but was originally published online on December 30th, 2013. Obtained via Sage Database.  KAE bracketed for grammar

By questioning substantialist representations of power and subjects, inquiries on the possibilities of political agency are reframed in a way that focuses on power and subjects’ relational character and the contingent processes of their (trans)formation in the context of agonic relations. Options for resistance to governmental scripts are not limited to ‘‘rejection,’’ ‘‘revolution,’’ or ‘‘dispossession’’ to regain a pristine ‘‘freedom from all constraints’’ or an immanent ideal social order. [Resistance to governmental scripts] is found instead in multifarious and contingent struggles that are constituted within the scripts of governmental rationalities and at the same time exceed and transform them. This approach questions oversimplifications of the complexities of liberal political rationalities and of their interactions with non-liberal political players and nurtures a radical skepticism about identifying universally good or bad actors or abstract solutions to political problems. International power interacts in complex ways with diverse political spaces and within these spaces it is appropriated, hybridized, redescribed, hijacked, and tinkered with. Governmentality as a heuristic focuses on performing complex diagnostics of events. It invites historically situated explorations and careful differentiations rather than overarching demonizations of ‘‘power,’’ romanticizations of the ‘‘rebel’’ or the ‘‘the local.’’ More broadly, theoretical formulations that conceive the subject in non-substantialist terms and focus on processes of subjectification, on the ambiguity of power discourses, and on hybridization as the terrain for political transformation, open ways for reconsidering political agency beyond the dichotomy of oppression/rebellion. These alternative formulations also foster an ethics of political engagement, to be continuously taken up through plural and uncertain practices, that demand continuous attention to ‘‘what happens’’ instead of fixations on ‘‘what ought to be.” Such ethics of engagement would not await the revolution to come or hope for a pristine ‘‘freedom’’ to be regained. Instead, it would constantly attempt to twist the working of power by playing with whatever cards are available and would require intense processes of reflexivity on the consequences of political choices. To conclude with a famous phrase by Michel Foucault ‘‘my point is not that everything is bad, but that everything is dangerous, which is not exactly the same as bad. If everything is dangerous, then we always have something to do. So my position leads not to apathy but to hyper- and pessimistic activism.

#### Thus the standard is promoting critical social engagement.

We are trying to build people’s capacity to change the world is substantive way. Our framework aims to create a better space to then combat oppression. The aff isn’t a question of tangible impacts but discursive methods.

#### I defend the resolution; Resolved: Public colleges and Universities in the United States ought not restrict any constitutionally protected speech. I defend the resolution as a general principle, so I don’t defend implementation.

#### The squo presents an inherent problem; colleges restrict students ability to exercise their free speech.

Wheeler 16 , Lydia. "Colleges Are Restricting Free Speech on Campus, Lawmakers Say." TheHill. N.p., 02 Feb. 2016. Web. 06 Dec. 2016.

In protecting students from harassment and discrimination, lawmakers and experts say public colleges and universities are violating students’ right to free speech on college campuses. During a House Judiciary Constitution and Civil Justice Subcommittee Hearing on First Amendment protections on public college and university campuses, Greg Lukianoff, president and CEO of the Foundation for Individual Rights in Education (FIRE), said one in six universities maintain free speech zones – small, out-of-the-way areas where they can hold rallies, demonstrations, distribute literature, circulate petitions and give speeches. “In a lot of these cases they are free speech zones that you have to apply 10 days in advance to use,” he said.

## Next Offense

### Activism/social practice

#### Counter speech interrogates the violent speech and mobilizes colleges to confront oppressive viewpoints. Censorship makes offensive speakers into martyrs, increasing the effectiveness of their arguments—my evidence is directly comparative.

Strossen 95 1995 Hate Speech and Pornography: Do We Have to Choose between Freedom of Speech and Equality Nadine Strossen New York Law School \*\*\* multiple examples come from public colleges at ASU and more. Examples cited in card ununderlined bc I wanted to be efficient sorry. Can point to it if you’d like

The viewpoint-neutrality principle reflects the philosophy, first stated in pathbreaking opinions by former United States Supreme Court Justices Oliver Wendell Holmes and Louis Brandeis, that The appropriate response to speech with which one disagrees in a free society is not censorship but counterspeech-more speech, not less. Persuasion, not coercion, is the solution.38 Accordingly, the appropriate response to hate speech is not to censor it, but to answer it. Recall, as I discussed earlier, that this is the strategy that the Anti-Defamation League has been pursuing so effectively in response to Internet hate speech. This counterspeech strategy is better than censorship not only in principle, but also from a practical perspective. That is because of the potentially empowering experience of responding to hate speech with counterspeech. I say "potentially," since I realize that the pain, anger and other negative emotions provoked by being the target of hate speech could well have an incapacitating effect on some targeted individuals, preventing them from engaging in counterspeech. Even in such a situation, though, other members of the community who are outraged by the hate speech could engage in counterspeech, and that is likely to have a more positive impact than a censorial response. Furthermore, once other community members denounce the hate speech, it should be easier for the target to join them in doing so. Iwill illustrate these practical benefits of a non-censorial, counterspeech response to hate speech in the campus context. Far from being paternalistic, counterspeech is empowering to students; it transforms students who would otherwise be seen-and see themselves-largely as victims into activists and reformers. It underscores their dignity, rather than undermines it. One excellent example of the effective use of counterspeech comes from Arizona State University (ASU) in Tempe, Arizona. Under the leadership of a law professor on that campus, Charles Calleros, the faculty and administration rejected any code that outlawed hate speech or punished students who expressed it. Instead, they endorsed an educational or counterspeech response to any hate speech. Significantly, as a Latino, Charles Calleros is himself a member of a minority group. As such, though, he believes that stifling or punishing hate speech is no better for advancing non- discrimination and equality than it is for free speech. And, based on his university's actual experience with the non-censorial, more-speech response to hate speech, Professor Calleros' original speech-protective views have been reinforced. Professor Calleros has written articles about the positive impact of the non-censorial approach to hate speech at ASU, explaining how it has been empowering and supportive for the would-be "victims" of the hate speech, and also educational and promotive of tolerance and anti-discrimination valuesfortheuniversitycommunityasawhole.39 Becauseitissoinstructive, Iwould like to quote at some length Professor Calleros' description ofthe first hate speech incident under ASU's pro-educational, non-censorial campus policy: [F]our black women students... were understandably outraged when they noticed a racially degrading poster near the residence of a friend they were visiting in Cholla, a campus dormitory. Rather than simply complain to their friends ... they took positive action. First, they spoke with a Resident Assistant who told them that they could express their feelings to the owners of the poster and encourage them to remove it .... The students knocked on the door that displayed the racist poster and expressed their outrage in the strongest terms to the occupant who answered the door .... He agreed that the poster was inappropriate, removed it, and allowed the women to make a photocopy of it. [T]he four students then met with the staff director of Cholla. That director set up a [meeting] for all members of Cholla .... [A] capacity crowd showed up .... All seemed to accept the challenging conclusion that the poster was protected by the First Amendment, and I regard what followed as a model example of constructive response. First, the black women who discovered the poster explained as perhaps only they could why the poster hurt them deeply .... The Anglo-American students assured the black women that they did not share the stereotypes reflected in the poster, yet all agreed that they would benefit from learning more about other cultures. The group reached a consensus that they would support ASU's Black History events and would work toward developing multicultural programming at Cholla. The four women who led the discussion expressed their desire to meet with the residents of the offending dormitory room to exchange views and to educate them about their feelings and about the danger of stereotyping. I understand that the owner of the poster is planning to publish an apology in this newspaper today and a personal communication with the four women would be an excellent follow- up.... The entire University community then poured its energy into the kind of constructive action and dialogue that took place in the Cholla meeting. Students organized an open forum. The message was this: at most, a few individuals on a campus think that the racist poster is humorous; in contrast, a great number of demonstrators represent the more prevalent campus view that degrading racial stereotypes are destructive. Such a message is infinitely more effective than disciplining the students who displayed the racist poster.40 In addition to empowering the students who encountered the racist poster and educating the students who had displayed it, the non-censorial response to this hate speech incident also galvanized constructive steps to counter bias campus-wide. One of the student leaders of this constructive college-wide response was Rossie Turman, who was then Chairman of the African- American Coalition at Arizona State University. Turman's leadership in supporting both free speech and non-discrimination earned him much recognition, including an award from the Anti-Defamation League. As one press account stated: Turman and other campus minority group leaders handled their anger by calling a press conference and rally to voice their concerns and allow students and administrators to speak .... Within days, the ASU Faculty Senate passed a previously-proposed domestic diversity course requirement. Turman said: "When you get a chance to swing at racism, and you do, you feel more confident about doing it the next time. It was a personal feeling of empowerment, that I don't have to take that kind of stupidity .... The sickest thing would have been if the racists had been kicked out, the university sued, and people were forced to defend these folks. It would have been a momentary victory, but we would have lost the war." After this incident, Rossie Turman went on to be elected student body President at ASU, the first African-American to hold that position on a campus that had an African-American student population ofonly 2.3%. Upon his graduation from college, he went to Columbia Law School. Therefore, for him, what could have been a disempowering, victimizing experience with hate speech became instead an empowering, leadership-development experience-not despite the absence of censorship-but precisely because of it. In contrast with the more-speech response to hate speech adopted by Arizona State University, a censorial response does not empower the maligned students. To the contrary, it may well perpetuate their victimization. Worse yet, ironically, censoring hate speech may well empower verbal abusers, by making them into free speech martyrs. This point was captured by the Progressivemagazine: 41. [T]he attempt to ban or punish hateful speech does nothing at all to empower the presumed victims of bigotry. Instead, it compels them to seek the protection of authorities whose own commitment to justice is often, to put it mildly, less than vigorous. Restraining speech increases the dependency of minorities and other victims of hate and oppression. Instead of empowering them, it enfeebles them.4 P

#### Counter-speech works to combat hate speech—empirically verified.

Davidson ’16 The Freedom of Speech in Public Forums on College Campuses: A Single-Site Case Study on Pushing the Boundaries of the Freedom of Speech A Senior Project presented to The Faculty of the Journalism Department California Polytechnic State University, San Luis Obispo In Partial Fulfillment Of the Requirements for the Degree Bachelor of Science in Journalism By Alexander Davidson June 2016

All experts agreed that negative speech creates awareness that surrounds a certain topic. They all noted that “good speech” surfaces to combat the “bad speech.” Humphrey notes that, “We have seen a lot of students stand up and say that this isn’t welcome in this community. It galvanized a movement that said we need to do better” (Appendix A). Den Otter notes something very similar, stating that, “I think any time that there’s some kind 50 of racist incident on campus, people start talking about it. They’re made more aware of it” (Appendix B). And Loving advocates for people to not just stand idly while hate speech is taking place around them, that, “If racial slurs were met with more conversation, evil councils being remedied by good councils, then how long would that atmosphere remain on campus?” (Appendix C). The research shows that these suggestions and statements are true, if history is used as an indicator. Various incidents that have occurred, such as the California Polytechnic State University College Republicans Free Speech Wall, the Crops House Incident and the Charlie Hebdo Attacks have created movements against the negative speech that took place. Many times when “bad speech” shows its face, there are people who use “good speech” to combat the issue.

#### Public colleges restricting free speech creates administrative intervention which destroys grassroot activism

Brown 95 [Brown (Wendy L. Brown (born November 28, 1955) is an American professor of Political Science at the University of California, Berkeley[1] where she is also affiliated with the Department of Rhetoric, and where she is a core faculty member in the Designated Emphasis in Critical Theory.[2]), Wendy. "States of injury: Power and freedom in late modernity." (1995). //]

It is important to be clear here. I am not impugning antidiscrimination law concerned with eliminating barriers to equal access to education, employment, and so forth. Nor am I suggesting that what currently travels under the sign of "harassment" is not hurtful, that "hate speech" is not hateful, or that harassment and hate speech are inappropriate tor political contestation. Rather, precisely because they arc hurtful, hateful, and pohneal, because these phenomena are complex sites of political and historical deposits of discursive power, attempts to address them litigiously are worrisome. When social "hurt" is conveyed to the law tor resolution, political ground is ceded to moral and juridical ground. Social injury such as that conveyed through derogatory speech becomes that which is "unacceptable" and "individually culpable" rather than that which symptomizes deep political distress in a culture; injury is thereby rendered intentional and individual, politics is reduced to punishment, and justice is equated with such punishment on the one hand and with protection by the courts on the other. It is in this vein that, throughout the ensuing chapters, I question the political and implications of the turn to- ward la\v and other deems of the state for resolution of antidemocratic injury. In the course of such questioning, I worry about the transformation of the instrumental function of law into a political end. and about bartering political freedom for legal protection. I worry. too, about the recuperation of an anachronistic discourse of universal and particular that this turn seems to entail: if the range of political possibility today traffics between proliferating highly specified (identity-based) rights and entitlements and protecting general or universal rights, it is little wonder that tiresome debates about censorship, and about "identity politics" versus ··universal justice." so preoccupy North American progressives in the late twentieth century. When anxieties about the difficult Imperatives of freedom arc installed in the regulatory force» of the state in the form of increasingly specified codes of injury and protection. dLl W l' unwittingly increase the power of the state and its various regulatory discourses at the expense of political freedom; Are we fabricating something like a plastic cage that reproduces and further regulates the injured subjects it would protect' Unlike the "Iron cage" of Weber's ascetics under capitalism. this cage would be quite transparent to the ordinary eye.•7 Yet it would be distressingly durable on the face of the earth: la\Y and other state institutions arc not known for their capacity to historicize themselves nor for their adaptation to cultural particulars. Nor is this cage fabricated only by those invested in social justice: Foucault's characterization of contemporary state power as a "tricky combination in the same political structures of individualization techniques, and of totalization procedures" suggests that progressive efforts to pursue justice along lines of legal recognition of identity corroborate and abet rather than contest the "political shape'' of domination in our time. 4 " The danger here is that in the name of equality or justice t()r those historically excluded even from liberal forms of these goods, we may be erecting intricate ensembles of definitions and procedures that cast in the antihistorical rhetoric of the law and the positivist rhetoric of bureaucratic discourse highly specified identities and the injuncts contingently constitutive of them. In thus effort, notwithstanding its good intentions, will we not, as Foucault puts the matter, further ''tis the individual to [it]self"' Is it not precisely this form of power that "applies Itself to lin- mediate everyday life [to] categorize the individual, mark him by his own individuality, attach him to his own identity, impose a law of truth on him which he must recognize and which others have to recognize in him"?49 Even as we seck to redress the pain and humiliation consequent to historical deprivation of freedom in a putatively "free" political order, might we thus sustain the psychic residues of these histories as the animus of political institutions constitutive of our future' It is against this grave possibility, and fi.H alternatives, that these essays arc written.

#### And only OPEN DIALOGUE gets students to demand liberation THEMSELVES, creating a radical democracy in colleges. Censorship hurts the students’ ability to protest offensive speech in the future – granting college admin the authority to police speech creates a precedent of rights infringement

Milligan 15 From Megaphones to Muzzles Free speech is under fire on college campuses – and the attacks are coming from students. By [Susan Milligan](http://www.usnews.com/topics/author/susan-milligan) | Staff Writer Nov. 25, 2015, http://www.usnews.com/news/the-report/articles/2015/11/25/from-megaphones-to-muzzles-free-speech-safe-spaces-and-college-campuses

To me, an institution of higher learning should be a place where I can have my ideas challenged and develop as a person," Menon says. "I can't believe this is happening on college campuses, where we are supposed to be engaging in discussion and debate about what we believe about the world." A spokeswoman for the student association, Emma Mazour, says in an email that the main discussion about the non-binding resolution centered on its implementation challenges. Menon says that is not the case, as he offered an amendment to create a simple shared remembrance (such as via a mass email) instead of a harder-to-organize moment of silence. Regardless, muzzles have replaced megaphones on campus in many cases. And Bettina Aptheker, one of the leaders of the Berkeley Free Speech Movement, is concerned at the trend. "As abhorrent as some speech is, and I certainly think [some] is, the administration of a university should not be in the position of policing it, because it's a very slippery slope," says Aptheker, who is now a feminist studies professor at the University of California–Santa Cruz. "A lot of us liberal types or radical types could say racism is on the upswing, and I agree with that. But I don't think the solution to that is restricting freedom of speech," she adds. Students in the recent demonstrations are looking not for liberty but for protection – a "safe space," in the modern lexicon. But that term (Lukianoff says he can't trace its origin) means far more than a dormitory impenetrable to intruders, also connoting a place where students, especially minority students, can be themselves, expressing their own struggles as an underrepresented or underserved group. Paradoxically, that also means having minority groups deliberately segregating themselves from the rest of the campus on which they feel alienated. "It's a place, either a physical space or not a physical space, where you're allowed to talk about these feelings without feeling you have to defend your position," says Rachel Lee, 21, a Korean national and a junior at Claremont McKenna College. Students at the college recently forced a dean to resign after she responded to an article by a Latina student from a working-class family – who wrote of feeling out of place at the small college – by saying the school needed to do more to welcome students who "don't fit our CMC mold." "This is the case on a lot of campuses where people say, 'Maybe you're being too sensitive, or wrong in believing something,'" adds Lee, explaining the calls for campus cultural centers for African-Americans, Asians and Native Americans. But calls for a "safe space" can also create a dangerous one for professors, says Lukianoff. In the Kansas case, for example, students calling for Quenette's dismissal say she is contributing to an "unsafe learning space." And the standard gets even more complicated with the demand for "trigger warnings," advance notice of a class topic or verbiage that might offend some students. Rani Neutill, a former Brandeis University professor who once taught a class on sex and the cinema, wrote in a [Salon](http://www.salon.com/2015/10/28/i_wanted_to_be_a_supporter_of_survivors_on_campus_and_a_good_teacher_i_didnt_realize_just_how_impossible_this_would_be/) [post](http://www.salon.com/2015/10/28/i_wanted_to_be_a_supporter_of_survivors_on_campus_and_a_good_teacher_i_didnt_realize_just_how_impossible_this_would_be/) about how a student requested she give notification in an email the evening before class about any material in a film clip that might set off a student with a particular sensitivity. At Duke University, a freshman wrote on Facebook earlier this year that he would not read the book "Fun Home " as assigned for class because its sex scenes, which include lesbian sex, would force him to compromise his "personal Christian moral beliefs." And it doesn't stop there. "Cultural appropriation," or adopting an element of someone else's culture, is also under fire on campus. That concern led the University of Ottawa to drop a yoga class designed to include students with disabilities because the age-old meditative exercise is taken from a culture victimized by colonialism. It's also why it's just not right, for example, to wear a glitzy sari for Halloween if you're not actually Indian, says Susan Scafidi, a Fordham University law professor who teaches a class in fashion law. "Cultural appropriation really goes beyond the idea of mocking someone. It has to do more with the commodification or true assumption of someone's culture," she says. The Associated Students of the University of Washington this year prepared a [six-minute video](https://www.youtube.com/watch?v=Uveb8-L3YHY) advising students on what not to wear for Halloween to avoid cultural appropriation, including grass skirts and leis (which the students say offend Pacific Islanders), drag attire (unless you actually are gay and are expressing that side of yourself) and karate outfits (unless you've earned the belt). Lukianoff thinks the protections don't prepare students for post-college life. "I think we're teaching this generation of students the intellectual habits that will make them anxious and depressed," he says. "If they think there will [always] be someone out there with the power to police" speech, "that's setting students up to be constantly enraged and frustrated with the world." While the Halloween costume hysteria has been lampooned in the press, Lee says there are much more serious issues facing minority groups on campus – and that the discussions of cultural appropriation and names on buildings are merely easier outlets for students' frustrations. Indeed, the Yale student magazine [DOWN](http://downatyale.com/post.php?id=477) includes powerful and disturbing descriptions of discrimination against African-American female students, suggesting minority students' sense of alienation is very real, and can't be fixed by renaming buildings and policing Halloween attire. "I think part of the reason why this movement has been so hard is because it's really hard to pinpoint what's wrong, what exactly is the cause of the problem," Lee says. "Why do people feel so alienated? It's not like they don't have friends from other races. "Although the dean [at Claremont McKenna] has resigned, you can't say it's the dean's fault," she adds. "It's a campus climate sort of thing that is inevitably formed by the students." Whether the beleaguered university presidents and deans can solve the problem is another question. Meanwhile, the battle over free speech rages on.

#### When colleges determine that certain words or concepts shouldn’t be said, it locks the trauma of oppression in the words themselves. By freeing up speech, the Aff takes away the oppressor’s ability to use those words as a weapon.

Butler 97, Judith (Professor of Rhetoric and Comparative Literature, University of California-Berkeley), Excitable Speech: A Politics of the Performative, Routledge, 1997.

Keeping such terms unsaid and unsayable can also work to lock them in place, preserv[es] their power to injure, and arrest[s] the possibility of a reworking that might shift[ing] their context and purpose. That such language carries trauma is not a reason to forbid its use. There is no purifying language of its traumatic residue, and no way to work through trauma except through the arduous effort it takes to [by] direct[ing] the [its] course of its repetition. It may be that trauma constitutes a strange kind of resource, and repetition, its vexed but promising instrument. After all, to be rained by another is traumatic: it is an act that precedes my will, an act that brings me into a linguistic world in which I might then begin to exercise agency at all. A founding subordination, and yet the scene of agency, is repeated in the ongoing interpellations of social life. This is what I have been called. Because I have been called something, I have been entered into linguistic life, refer to myself through the language given by the Other, but perhaps never quite in the same terms that my language mimes. The terms by which we are hailed are rarely the ones we choose (and even when we try to impose protocols on how we are to be named, they usually fail); but these terms we never really choose are the occasion for something we might still call agency, the repetition of [a] originary subordination for another purpose, one whose future is partially open.

### Education

#### Free speech restrictions destroy innovation, activism and leadership which is the root of college education

Snyder 16 , Jeffrey Aaron, “Free Speech? Now That’s Offensive!” Inside Higher Ed, September 1, 2016.

The Gallup survey also investigated the extent to which students feel comfortable articulating their opinions. Fifty-four percent of the students say the “climate on my campus prevents some people from saying things they belie[fs] because others might find them offensive.” Senior administrators and faculty members bear some responsibility for this troubling state of affairs. According to a report from the Foundation for Individual Rights in Education (FIRE), more than half of colleges and universities have restrictive speech codes -- that is, “policies prohibiting student and faculty speech that would, outside the bounds of campus, be protected by the First Amendment.” In addition, more than 100 colleges and universities (and counting) have Bias Response Teams, which are tasked with investigating and responding to complaints about so-called “bias incidents.” At Syracuse University, “name calling,” “avoiding or excluding others” and “making comments on social media about someone’s political affiliations/beliefs” are all potential instances of bias. In principle and practice, Bias Response Teams communicate to students that “no incident is too small to report.” Regarding faculty members, under the powerful influence of the “linguistic turn,” we scholars in the humanities -- and occasionally those in the social sciences -- have been banging on for decades about the awesome power of language (or discourse, in its formal dress), outlining in exquisite detail the ways in which it may serve to coerce, subjugate and oppress. In this kind of environment where speech is oftentimes regulated and the capacity of words to inflict damage is frequently underscored, it’s no wonder that some students of all backgrounds are in favor of eliminating speech that might insult or offend. Unless I’m gravely mistaken, the overwhelming majority of students who are afraid to share their ideas, opinions and beliefs are not closeted bigots. Even so, they are understandably reluctant to have frank conversations -- in classrooms and in proverbial late-night bull sessions -- about questions that might veer into controversial territory. Questions like: Is sexual orientation hard-wired or a personal choice? How do you tell the difference between cultural mixture and cultural appropriation? And is the Black Lives Matter movement achieving its objectives? Beyond the campus green, you cannot just shut down the presses when confronted by speech that offends you. “In a democracy,” the late philosopher Ronald Dworkin wrote in the wake of the 2005 Danish cartoon controversy, “no one, however powerful or impotent, can have a right not to be insulted or offended.” It’s not unreasonable to expect that a reluctance to engage with “distasteful” or "scary" ideas will render students defenseless when they step into the sometimes rough-and-tumble civic arena[s] after they graduate. On too many campuses, widely held political positions that aren’t “progressive” -- such as being pro-life or against gun control-- are summarily dismissed as intolerable. “Part of being an American is the obligation to listen to language that makes you uncomfortable,” criminal lawyer and staunch First Amendment champion David Baugh said in a recent interview. “If you’re going to be a [free-speaking] citizen, if you’re going to speak freely, you have to be able to tolerate bad ideas.” For Baugh -- who is African American, the son of a Tuskegee fighter pilot -- his declarations on tolerance are not sanctimonious abstractions. Working with the ACLU in the late 1990s, Baugh volunteered to help defend Barry Elton Black, an imperial wizard in the Ku Klux Klan who had been arrested for cross burning, an outcome that Baugh considered a violation of Black’s First Amendment rights. (The Supreme Court, in its 2003 Virginia v. Black decision, agreed.) Elaborating on how to address “bad ideas” such as racial supremacy, Baugh explained, “In a true free society, every idea has to be discussed if for no other reason than saying that’s a [it’s] stupid, damn idea, we ought to throw it away.” This is a more colloquial version of the phrase from Yale University’s 1975 Woodward Report that intellectual growth and discovery require[s] the freedom to “think the unthinkable, discuss the unmentionable, and challenge the unchallengeable[,]” In an educational setting, playing devil’s advocate to consider unpopular or minority positions is an indispensable teaching tool. Beyond the classroom, tolerance for ideas we find misguided or repellent does not mean, as many students appear to believe, that we condone them. It’s possible to condemn ideas, broadcasting our misgivings to the high heavens, without censoring them. If colleges and universities shrink from engaging with materials students find too sensitive, controversial or offensive, the growth of their critical thinking skills will be severely stunted. We already have a tendency to misrepresent ideas that we disagree with. And that’s when we actually expose ourselves to them. Only 16 percent of college students say Americans do a good job at “seeking out and listening to differing viewpoints from their own.” A “just say no” approach to “objectionable” materials will turn us into intellectual sloths. Without the stimulation to interrogat[ing] our basic assumptions or to consider alternatives to our preferred explanations, our own ideas will devolve into pathetic caricatures. If you are in favor of affirmative action, for instance, how sophisticated can your position really be if you refuse to engage with the claims and evidence advanced by its critics?

#### 2 implications:

#### A] Limiting the range of relevant opinions precludes our ability to think critically about complex issues in the world. Critical thinking is key to challenging mainstream opinions, which historically have never been neutral or fair. Professors are in a unique position of power to influence thought toward breaking up echo chambers that contribute to widening gaps in political opinion, which polarize politics to the point of deadlock and an inability to face the facts.

#### B] The chilling effect on free speech proved by the Gallup poll further dismantles the free marketplace of ideas, which reduces innovation and intellectual discovery, controlling the internal link to stopping hate speech: the only way that activists have galvanized support for anti-oppressive agendas is through free speech; that’s how we’ve been able to determine what’s offensive and what’s not. Negating stops activism in its tracks.

#### Empirics prove that banning bigoted speech or acts doesn’t work.

Malik 12 , Kenan, “Why hate speech should not be banned,” April 12, 2012.

And in practice, you cannot reduce or eliminate bigotry simply by banning it. You simply let the sentiments fester underground. As Milton once put it, to keep out ‘evil doctrine’ by licensing is ‘like the exploit of that gallant man who thought to pound up the crows by shutting his Park-gate’. Take Britain. In 1965, Britain prohibited incitement to racial hatred as part of its Race Relations Act. The following decade was probably the most racist in [its] British history. It was the decade of [with] ‘Paki-bashing’, when racist thugs would seek out Asians to beat up. It was a decade of firebombings, stabbings, and murders. In the early 1980s, I was organizing street patrols in East London to protect Asian families from racist attacks. Nor were thugs the only problem. Racism was woven into the fabric of public institutions. The police, immigration officials – all were openly racist. In the twenty years between 1969 and 1989, no fewer than thirty-seven blacks and Asians were killed in police custody – almost one every six months. The same number again died in prisons or in hospital custody. When in 1982, cadets at the national police academy were asked to write essays about immigrants, one wrote, ‘Wogs, nignogs and Pakis come into Britain take up our homes, our jobs and our resources and contribute relatively less to our once glorious country. They are, by nature, unintelligent. And can’t at all be educated sufficiently to live in a civilised society of the Western world’. Another wrote that ‘all blacks are pains and should be ejected from society’. So much for incitement laws helping create a more tolerant society. Today, Britain is a very different place. Racism has not disappeared, nor have racist attacks, but the open, vicious, visceral bigotry that disfigured the Britain when I was growing up has largely ebbed away. It has done so not because of laws banning racial hatred but because of broader social changes and because minorities themselves stood up to the bigotry and fought back. Of course, as the British experience shows, hatred exists not just in speech but also has physical consequences. Is it not important, critics of my view ask, to limit the fomenting of hatred to protect the lives of those who may be attacked? In asking this very question, they are revealing the distinction between speech and action. Saying something is not the same as doing it. But, in these post-ideological, postmodern times, it has become very unfashionable to insist on such a distinction. In blurring the distinction between speech and action, what is [we] really being blurred is the idea of human agency and of moral responsibility. Because lurking underneath the argument is the idea that people respond like automata to words or images. But people are not like robots. They think and reason and act on [about] their thoughts and reasoning. Words certainly have an impact on the real world, but that impact is mediated through human agency. Racists are, of course, influenced by racist talk. It is [racists] they, however, who bear responsibility for translating racist talk into racist action. Ironically, for all the talk of using free speech responsibly, the real consequence of the demand for censorship is to moderate the responsibility of individuals for their actions. Having said that, there are clearly circumstances in which there is a direct connection between speech and action, where someone’s words have directly led to someone else taking action. Such incitement should be illegal, but it has to be tightly defined. There has to be both a direct link between speech and action and intent on the part of the speaker for that particular act of violence to be carried out. Incitement to violence in the context of hate speech should be as tightly defined as in ordinary criminal cases. In ordinary criminal cases, incitement is, rightly, difficult legally to prove. The threshold for liability should not be lowered just because hate speech is involved.

#### The University is no longer open- it controls what knowledge can be disseminated- this is a new form of intolerance that has replaced previous intolerances- this prevents creating the best knowledge possible by limiting discussion and preventing idea exchange- this leads to extremity, polarization, and hinders politics, decision-making, and societal progress

Nelson 15 Nelson, Libby. Education Reporter Reporting on and explaining education. Previously: POLITICO Pro, Inside Higher Ed. Originally: Northwestern and Kansas City. "Obama on Liberal College Students Who Want to Be "coddled": "That's Not the Way We Learn"" Vox. Vox Media, Inc, 14 Sept. 2015. Web. 23 June 2016. <http://www.vox.com/2015/9/14/9326965/obama-political-correctness>.

DES MOINES, Iowa — People concerned about [liberal political correctness on college campuses](http://nymag.com/daily/intelligencer/2015/01/not-a-very-pc-thing-to-say.html) have a powerful ally: President Obama. At a town hall here on college affordability on Monday afternoon, one student asked Obama to respond to Republican presidential contender Ben Carson's [proposal](http://www.desmoinesregister.com/story/news/elections/presidential/caucus/2015/06/26/ben-carson-proposes-penalty-political-bias-colleges-universities/29367055/) to cut off funding to colleges that demonstrate political bias. Unsurprisingly, Obama didn't like it much. "I have no idea what that means, and I suspect he doesn’t either," he said, then continued: "The idea that you’d have somebody in government making a decision about what you should think ahead of time or what you should be taught, and if it’s not the right thought, or idea, or perspective or philosophy, that person would be — they wouldn’t get funding, runs contrary to everything we believe about education," he said. "That might work in the Soviet Union, but that doesn’t work here. That's not who we are." After that criticism, he went on to give his opinion about what's been called the "new political correctness" on college campuses: It’s not just sometimes folks who are mad that colleges are too liberal that have a problem. Sometimes there are folks on college campuses who are liberal, and maybe even agree with me on a bunch of issues, who sometimes aren’t listening to the other side, and that’s a problem too. I’ve heard some college campuses where they don’t want to have a guest speaker who is too conservative or they don’t want to read a book if it has language that is offensive to African-Americans or somehow sends a demeaning signal towards women. I gotta tell you, I don’t agree with that either. I don’t agree that you, when you become students at colleges, have to be coddled and protected from different points of view. I think you should be able to — anybody who comes to speak to you and you disagree with, you should have an argument with ‘em. But you shouldn’t silence them by saying, "You can’t come because I'm too sensitive to hear what you have to say." That’s not the way we learn either. The word Obama chose is telling. The idea that college students are demanding to be "coddled" comes up frequently in debates about how much colleges should accommodate requests from students for [trigger warnings on syllabuses](http://www.vox.com/2015/9/10/9298577/trigger-warnings-college), for example, or how they should respond to criticisms of graduation speakers or even comedy shows. A recent Atlantic article on the phenomenon was headlined ["The Coddling of the American Mind."](http://www.theatlantic.com/magazine/archive/2015/09/the-coddling-of-the-american-mind/399356/) Obama has clearly followed those debates, and seems to side with critics who think students are asking colleges to go too far. But he was also making a broader point, one he returned to repeatedly, about the purpose of college itself. How Obama argued for a well-rounded education Obama started his response to the Carson question with an argument about what college is for: "The purpose of college is not just … to transmit skills," he said. "It’s also to widen your horizons, to make you a better citizen, to help you to evaluate information, to help you make your way through the world, to help you be more creative." This seemed like an implicit response to a frequent criticism of the administration's higher education policy: that it defines the purpose of college too narrowly, and seeks to evaluate colleges and hold them accountable based on metrics that don't show the full picture. Those criticisms were particularly prominent this weekend, after the White House released a [new version of its College Scorecard](http://www.vox.com/2015/9/12/9314695/college-scorecard-earnings), a search engine for colleges that displays a range of federal statistics. For the first time, prospective students, families, policymakers, families, and others are able to search colleges and find, among other information, how much money their students earn 10 years after they first enrolled. The scorecard includes plenty of other information as well, including students' loan payments, their average debt, and the price students from different income quintiles will pay. But the earnings data has been the most controversial part, with Obama accused of reducing the value of college to a number that [colleges themselves can't fully control](http://www.vox.com/2014/9/10/6128523/payscale-colleges-salaries-harvey-mudd). At the Monday town hall, he defended the accountability approach in part, including in response to a question about the struggles of historically black colleges. "There are some of those schools, just like non-historically black colleges and universities, who take in a lot of students but don’t always graduate their students, and those students end up being stuck with debt and it’s not a good deal for them," he said. But repeatedly during the forum, which was nominally about college costs, Obama returned to a central point: the value of education, at both K-12 and the college level, to create a well-rounded person. "Because there was this space where you could interact with people who didn’t agree with you and had different backgrounds from you … I started testing my own assumptions, and sometimes I changed my mind,"

he said. "Sometimes I realized, maybe I’ve been too narrow-minded; maybe I didn’t take this into account; maybe I should see this person’s perspective. That’s what college, in part, is all about."

#### Free speech prepares students for the real world by reducing academic insulation.

Vivanco 16 (Leonor Vivanco, August 25th, 2016, “U. of C. tells incoming freshmen it does not support 'trigger warnings' or 'safe spaces'”, http://www.chicagotribune.com/news/local/breaking/ct-university-of-chicago-safe-spaces-letter-met-20160825-story.html3

"It is not the proper role of the University to attempt to shield individuals from ideas and opinions they find unwelcome, disagreeable, or even deeply offensive," the report states. "Although the University greatly values civility, and although all members of the University community share in the responsibility for maintaining a climate of mutual respect, concerns about civility and mutual respect can never be used as a justification for closing off discussion of ideas, however offensive or disagreeable those ideas may be to some members of our community." The university is preparing students for the real world and would not be serving them by shielding them from unpleasantness, said Geoffrey Stone, chair of the committee, law professor and past provost at the U. of C. "The right thing to do is empower the students, help them understand how to fight, combat and respond, not to insulate them from things they will have to face later," Stone said. While the university doesn't support, require or encourage trigger warnings, it does not prohibit them, he added. Professors are still free to alert students to certain material if they choose to do so. Jane Kirtley, a media ethics and law professor at the University of Minnesota, called U. of C.'s move "refreshing." She said colleges should resist setting limits on what views and opinions are acceptable to air in open forum and should encourage students to discuss things they find uncomfortable. "If universities are not providing platforms for people to be offensive, then I don't think that they're doing part of their job," Kirtley said. "If listening to Donald Trump or Hillary Clinton is going to make your blood pressure go up 400 points, then fine, don't listen to them. But that doesn't mean you can say we can't have Donald Trump or Hillary Clinton speaking on campus because it would be offensive to even know they were talking." Another Midwestern institution has followed the University of Chicago's lead. In 2015, the board of trustees at Purdue University in Indiana endorsed the principles articulated in the U. of C. report. "Our commitment to open inquiry is not new, but adopting these principles provides a clear signal of our pledge to live by this commitment and these standards," board Chairman Tom Spurgeon said in a statement at the time.